特許性に関する国際予備報告(特許協力条約第二章)

(法第12条、法施行規則第56条) [PCT36条及びPCT規則70]

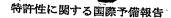
REC'D	0	4	JAN	2005
WIPO	_			PCT

出願人又は代理人 の書類記号 03PCT026CR	今後の手続きにつ	いては、様式PCT/	IPEA/416	を参照すること。
国際出願番号 PCT/JP03/1.3469	国際出願日 (日.月.年) 2:	2. 10. 2003	優先日 (日.月.年)	25. 10. 2002
国際特許分類 (IPC) Int. Cl ⁷	A23L3/35	35, A23L3/0	D, B65D81	/ 2 8
出願人 (氏名又は名称) 三菱化学フーズ株	式会社		·	,
			<u> </u>	
1. この報告書は、PCT35条に基づき 法施行規則第57条 (PCT36条) の	この国際予備審査 の規定に従い送付す	機関で作成された国際 ⁻ る。	予備審査報告であ	ర .
2. この国際予備審査報告は、この表紙を		3 ページ	からなる。	
3. この報告には次の附属物件も添付され a	,ている。 ページであ	ప .		
補正されて、この報告の基礎 囲及び/又は図面の用紙 (P	とされた及びノマ	ナケの国際予備索木機甲	が認めた訂正を	含む明細書、請求の範
·				•
□ 第 I 欄 4 . 及び補充欄に示し 国際予備審査機関が認定した	たように、出願時に	・ こおける国際出顧の關元	の筋囲を超らた。	金正な会なくのしょう
国際予備審査機関が認定した	差替え用紙	·	いり配因を起えたか	制止を含むものとこの
b 電子媒体は全部で	•		•	,
配列表に関する補充欄に示すよ	うに コンピューム	7 まり 所 り 可から アンート・	(電子媒体	の種類、数を示す)。
ブルを含む。(実施細則第80	2号参照)	・	よる配列表又は	尼列表に関連するテー
· .	•			
4. この国際予備審査報告は、次の内容を	含む。			
区 第 I 欄 国際予備審査報告 第 I 欄 優先権		,		
第Ⅲ欄 新規性、進歩性又 第Ⅳ欄 発明の単一性の欠	WU .		•	
区 第V欄 PCT35条(2) i けるための文献及	こ規定する新規性、	進歩性又は産業上の利	用可能性について	の見解、それを裏付
□ 第VI欄 ある種の引用文献			•	
第VII欄 国際出願の不備		t		
□ 第Ⅷ欄 国際出願に対する	意見			
		·	·	
国際予備審査の請求書を受理した日		-1700		,
06.05.2004		国際予備審査報告を作り	成した日 08.12.2(004
名称及びあて先		特許庁審査官(権限の	よる勝島い	4 N 0 + 0 5
日本国特許庁(IPEA/JP)	.	14 #174 田 年 日 (7里以り)。	のの概員)	4N 9160
郵便番号100-8915		福井	雪	
東京都千代田区霞が関三丁目4番3	j			
	[]	電話番号 03-358	31-1101	内線 3402

特許性に関する国際予備報告

国際出願番号 PCT/JP03/13/60

第 I 欄 報告の基礎		101/31/03/13469
1. この国際予備審査報行	ちは、下配に示す場合を除くに	まか、国際出願の言語を基礎とした。
□ この報告は、 それは、次の目的 □ PCT規則12	語による翻訳文 で提出された翻訳文の言語で .3及び23.1(b)にいう国際調査	でを基礎とした。
	.4にいう国際公開	
	. 2又は55. 3にいう国際予備審3	·
2. この報告は下記の出願 た差替え用紙は、この報告	質書類を基礎とした。(法第6 テにおいて「出願時」とし、こ	条 (PCT14条) の規定に基づく命令に応答するために提出さ の報告に添付していない。)
X 出願時の国際出廊	書類	
明細書		•
. 第	ページ、	出願時に提出されたもの
第 第	^~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	付けで同際子/偽変大機関はカップ・カップ
·	ページ*、	、
間球の範囲	•	
第 第	項、	出願時に提出されたもの
第	項*、	、PCT19条の規定に基づき補正されたもの
第		
		付けで国際予備審査機関が受理したもの
□ 図面 第		
· 第 第	ページ/図、	出願時に提出されたもの
第	ページ/図*、 ページ/図*、	―――――――――――――――――――――――――――――――――――――
		付けで国際予備審査機関が受理したもの
□ 配列表又は関連する ■ 配列表は関連する	るテーブル ・	•
配列表に関する	る補充概を参照すること。	
		•
補正により、下記の	の書類が削除された。	
□ 明細書	After	,
計求の範囲	第	<u></u> ページ
図面	第 第	項
配列表 (具体的	りに記載すること)	ページ/図
し」 配列表に関連す	るテーブル(具体的に記載す	ること)
	• •	
□ この報告は、補充機	に示したように、この部件に	を付される。 ツー・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・
えてされたものと認	められるので、その補正がさ	添付されかつ以下に示した補正が出願時における開示の範囲を超 れなかったものとして作成した。 (PCT規則70.2(c))
		10 GM J C GOO C C (F G T 規則70.2(c))
□ 明細審 □ 請求の範囲	第	<i>~~:</i>
図面	第	 項
□ 配列表(具体的	に記載すること)	ページ/図
□ 配列表に関連す	るテーブル(具体的に記載す	ること)
	*	
•		,
	٠.	•
•	_	
1. に該当する場合、その	D用紙に"superseded"と記入	、されることがある。
		:
		



国際出願番号 PCT/JP03/13469

. 見解			
新規性(N)	請求の範囲 請求の範囲	$\frac{7-8}{1-6}$	
進歩性(IS)	請求の範囲 請求の範囲	1-8	ギ 親
産業上の利用可能性(IA	.) 請求の範囲 請求の範囲	1-8	

 $9-215485 \\ 4-79869$ A (岡田 徹) 1997. 08. 19 A (旭電化工業株式会社) 1992. 03. 文献 3: JP

文献4: JP 7 - 46973A (積水樹脂株式会社) 1995.02.21

請求の範囲1-6に係る発明は、国際調査報告で引用された文献1の特許請求の範囲及び段落【0008】~【0010】、【0017】、文献2の特許請求の範囲及び段落【0012】、【0018】、【0023】に記載されたものであるか

四及い及待 100121、100101、100231に配取されたものであるから新規性を有さない。 請求の範囲7-8に係る発明は、文献1、2と、国際調査報告で引用された文献3の特許請求の範囲及び4頁左上欄3行~13行、並びに同文献4の特許請求の範囲とにより進歩性を有さない。すなわち、文献1、2に記載されている抗菌性粉末組成物を文献3、4に記載されている食品保存用物品に適用することは当業者にと







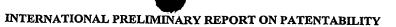
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

International application No. PCT/IP2003/013469 International application No. PCT/IP2003/013469 International Patent Classification (IPC) or national classification and IPC A231.3/3535, 3/00, B65D 81/28 Applicant MITSUBISHI-KAGAKU FOODS CORPORATION In This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. This report is also accompanied by ANNEXES, comprising: a.	Applicant's or agent's file reference		
PCT/IP2003/013469 22 October 2003 (22.10.2003) 25 October 2002 (25.10.2002)	03PCT026CR	FOR FURTHER ACTION	See Form PCT/IPEA/416
International Patent Classification (IPC) or national classification and IPC A23L 3/3535, 3/00, B65D 81/28 Applicant MITSUBISHI-KAGAKU FOODS CORPORATION 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of			• •
MITSUBISHI-KAGAKU FOODS CORPORATION 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of	International Patent Classification (IPC) or n A23L 3/3535, 3/00, B65D 81/28	ational classification and IDC	23 October 2002 (25.10.2002)
MITSUBISHI-KAGAKU FOODS CORPORATION 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of	Annilla		
2. This REPORT consists of a total of	_ _	BISHI-KAGAKU FOODS CORPOR	ATION
3. This report is also accompanied by ANNEXES, comprising: a. (sent to the applicant and to the International Bureau) a total of	This report is the international prelim Authority under Article 35 and transi	ninary examination report, established by this mitted to the applicant according to Article 36	International Preliminary Examining
3. This report is also accompanied by ANNEXES, comprising: a. (sent to the applicant and to the International Bureau) a total of	2. This REPORT consists of a total of	3 sheets including this cover a	
a. (sent to the applicant and to the International Bureau) a total ofsheets, as follows:	3. This report is also accompanied by A	NNEXES, comprising:	neet.
sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) containing a sequence listing and/or tables related thereto, in computer Administrative Instructions). a. This report contains indications relating to the following items: Box No. I Basis of the report Box No. II Priority Box No. II Priority Box No. IV Lack of unity of invention Box No. VI Cartain documents of point on with regard to novelty, inventive step and industrial applicability: Source Source			sheets, as follows:
Supplemental Box. b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) readable form only, as indicated in the Supplemental Box Relating to Sequence Listing and/or tables related thereto, in computer Administrative Instructions). 4. This report contains indications relating to the following items: Box No. II Basis of the report	sheets of the descri	ption, claims and/or drawings which have be	
b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). 4. This report contains indications relating to the following items: Box No. I Basis of the report	sheets which super beyond the discloss Supplemental Box.	sede earlier sheets, but which this Authority are in the international application as filed, a	considers contain an amendment that goes is indicated in item 4 of Box No. I and the
readable form only, as indicated in the Supplemental Box Relating and/or tables related thereto, in computer Administrative Instructions). 4. This report contains indications relating to the following items: Box No. II Basis of the report		l Bureau only) a total of (indicate typ	e and number of electronic carrier(a)
Box No. I Basis of the report Box No. II Priority Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Sox No. IV Lack of unity of invention Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement Certain documents cited Certain defects in the international application Date of submission of the demand Of May 2004 (06.05.2004) Name and mailing address of the IPEA/JP Authorized officer	readable form only, as ind Administrative Instructions	cated in the Supplemental Box Relating to	and/or tables related thereto, in computer Sequence Listing (see Section 802 of the
Box No. II Priority Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. IV Lack of unity of invention Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement Certain documents cited Certain defects in the international application Box No. VII Certain observations on the international application Date of submission of the demand O6 May 2004 (06.05.2004) Date of completion of this report O8 December 2004 (08.12.2004) Name and mailing address of the IPEA/JP Authorized officer	4. This report contains indications relating	g to the following items:	
Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability Box No. IV Lack of unity of invention Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement Certain documents cited Certain defects in the international application Box No. VII Certain observations on the international application Date of submission of the demand O6 May 2004 (06.05.2004) Date of completion of this report O8 December 2004 (08.12.2004) Name and mailing address of the IPEA/JP Authorized officer	Box No. I Basis of the repo	rt	
Box No. IV Lack of unity of invention Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement Certain documents cited Certain defects in the international application Box No. VII Certain observations on the international application Date of submission of the demand O6 May 2004 (06.05.2004) Date of completion of this report O8 December 2004 (08.12.2004) Name and mailing address of the IPEA/JP Authorized officer	Box No. II Priority		
Bex No. IV Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement Certain documents cited Certain defects in the international application Box No. VII Certain observations on the international application Date of submission of the demand O6 May 2004 (06.05.2004) Date of completion of this report 08 December 2004 (08.12.2004) Name and mailing address of the IPEA/JP Authorized officer	Box No. III Non-establishme	nt of opinion with regard to novelty, inventiv	ve sten and industrial applicability.
citations and explanations supporting such statement Certain documents cited Certain defects in the international application Box No. VII Certain observations on the international application Date of submission of the demand Date of completion of this report 06 May 2004 (06.05.2004) Name and mailing address of the IPEA/JP Authorized officer	Box No. IV Lack of unity of	invention	- stop and industrial applicationty
Certain documents cited Box No. VII Certain defects in the international application Box No. VIII Certain observations on the international application Date of submission of the demand O6 May 2004 (06.05.2004) Date of completion of this report 08 December 2004 (08.12.2004) Name and mailing address of the IPEA/JP Authorized officer	Box No. V Reasoned statem	ent under Article 35(2) with regard to novelty	, inventive step or industrial applicability:
Box No. VIII Certain observations on the international application Date of submission of the demand Date of completion of this report 06 May 2004 (06.05.2004) Name and mailing address of the IPEA/JP Authorized officer		Tr B swell beatoment	,
Date of submission of the demand Of May 2004 (06.05.2004) Date of completion of this report Of May 2004 (06.05.2004) Of December 2004 (08.12.2004) Authorized officer	Certain defects in	the international application	
06 May 2004 (06.05.2004) 08 December 2004 (08.12.2004) Name and mailing address of the IPEA/JP Authorized officer	1 1 =		
06 May 2004 (06.05.2004) 08 December 2004 (08.12.2004) Name and mailing address of the IPEA/JP Authorized officer	Date of submission of the demand	Date of completion of	his report
Name and mailing address of the IPEA/JP Authorized officer	06 May 2004 (06.05.200	45	
For the Ar	Name and mailing address of the IPEA/JP		(50.22.2007)
Telephone No.	Facsimile No.	Telephone No.	

Translation



Box No	. I	Basis of the report	
1. With other	regare wise i	d to the language, this report is based on the international application in the landicated under this item.	nguage in which it was filed, unless
	This which	s report is based on translations from the original language into the followir ch is language of a translation furnished for the purpose of:	ng language,
		international search (under Rules 12.3 and 23.1(b))	
		publication of the international application (under Rule 12.4)	
		international preliminary examination (under Rules 55.2 and/or 55.3)	
Jurni.	shed to tre not The i	ed to the elements of the international application, this report is based on the receiving Office in response to an invitation under Article 14 are referred annexed to this report): international application as originally filed/furnished	(replacement sheets which have been ed to in this report as "originally filed"
	the d	escription:	
	page		, as originally filed/furnished
	page	-	
	page		· · · · · · · · · · · · · · · · · · ·
	the c	laims:	
	pages		, as originally filed/furnished
	pages	, as unconded (to	gether with any statement) under Article 19
	pages		
l	pages	received by this Authority on	
	the d	rawings:	
	pages		, as originally filed/furnished
	pages		
	pages	received by this Authority on	
	a seq	uence listing and/or any related table(s) - see Supplemental Box Relating to Se	equence Listing.
3.	The a	amendments have resulted in the cancellation of:	
		the description, pages	
	Ħ	the claims. Nos.	
	Ħ	the drawings, sheets/figs	
	Ħ		
	Ħ	the sequence listing (specify):	
	ш	any table(s) related to sequence listing (specify):	
4. 🗌	(Rule	report has been established as if (some of) the amendments annexed to this is, since they have been considered to go beyond the disclosure as filed, as 70.2(c)). the description, pages the claims, Nos the drawings, sheets/figs the sequence listing (specify): any table(s) related to sequence listing (specify):	report and listed below had not been indicated in the Supplemental Box
* If item	4 app	plies, some or all of those sheets may be marked "superseded."	

V.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement						
Novelty (N)	Claims	7-8	YES			
	Claims	1-6	NO			
Inventive step (IS)	Claims		YES			
	Claims	1-8	NO			
Industrial applicability ((A) Claims	1-8	YES			
·	Claims		NO			

2. Citations and explanations

Document 1: JP 9-117270 A (Toru OKADA), 06 May 1997

Document 2: JP 9-215485 A (Toru OKADA), 19 August 1997

Document 3: JP 4-79869 A (Asahi Denka Kogyo Kabushiki

Kaisha), 13 March 1992

Document 4: JP 7-46973 A (Sekisui Jushi Corp.), 21

February 1995

The inventions that are set forth in claims 1 to 6 are the same as the inventions that are disclosed in document 1 (claims and paragraphs [0008] to [0010] and [0017]) and document 2 (claims and paragraphs [0012], [0018] and [0023]) cited in the international search report; therefore, they lack novelty.

The inventions that are set forth in claims 7 to 8 do not involve an inventive step in the light of document 1, document 2, document 3 (claims and page 4, upper left column, lines 3-13) cited in the international search report and document 4 (claims) cited in the international search report. That is to say, it would be easy for a person skilled in the art to employ the powdered antibacterial compositions that are disclosed in documents 1 and 2 in the articles for storing food that are disclosed in documents 3 and 4.